



PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Hideyoshi HORIMAI

Group Art Unit: 2872

Application No.: 09/601,702

Examiner: A. Lavarius

Filed: August 4, 2000

Docket No.: 106357

For: APPARATUS AND METHOD FOR RECORDING AND REPRODUCING OPTICAL
INFORMATION

TERMINAL DISCLAIMER--COPENDING APPLICATION

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Your Petitioner, Optware Corporation, represents that it is the owner of a 100% interest in the above-captioned patent application by virtue of an Assignment filed August 4, 2000 and recorded at Reel 11014, Frame 0929. The undersigned also certifies that he is empowered to execute this Terminal Disclaimer on behalf of the assignee.

Your Petitioner hereby disclaims the terminal part of the statutory term of any patent granted on the above-captioned application, which would extend beyond the expiration of the full statutory term as presently shortened by any Terminal Disclaimer, of any U.S. Patent to issue on copending U.S. Patent Application No. 10/343,957 (Publication No. US 2004/0042374 A1) and hereby agrees that any patent so granted on the above-captioned application shall be enforceable only for and during such period that the legal title to said U.S. Patent shall be the same as the legal title to any patent issuing from the above-captioned application, this agreement to run with any patent granted on the above-captioned application and to be binding upon the grantee, its successors or assigns.

Petitioner does not disclaim any terminal part of any patent granted on the above-captioned application prior to the expiration of the full statutory term as presently shortened by any Terminal Disclaimer of said U.S. Patent in the event that it later: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321, has all claims canceled by a reexamination certificate, is reissued, or is otherwise terminated prior to the expiration of its full statutory term as presently shortened by any Terminal Disclaimer.

Our Check No. 157349 in the amount of \$55.00 is attached in accordance with 37 CFR 1.20(d). The U.S. Patent and Trademark Office is authorized to debit Deposit Account No. 15-0461 in the amount necessary to effect filing of this Terminal Disclaimer.

DATE: August 13, 2004

SIGNED:

TYPED NAME:

TITLE OR REGISTRATION NO.
OF ATTORNEY OF RECORD:

Edward P. Walker

Reg. No. 31,450

08/16/2004 JAD/005 09601702

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